

REMARKS

At the time of the Office Action, Claims 3-10, 12-19, and 21-22 were pending. Claims 3-10, 12-19, and 21-22 were rejected. Claims 9 and 21-22 have been amended. Applicants respectfully request reconsideration and favorable action in this case.

Claim Objections

Applicants have amended Claim 9 to correct the informality objected to by the Examiner.

Rejections under 35 U.S.C. §103(a)

Claims 3-10, 12-19, and 21-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,915,001 issued to Premkumar V. Uppaluru ("Uppaluru") in view of U.S. Patent 6,320,946 issued to Mark J. Enzmann et al. ("Enzmann").

With respect to independent claim 21 and its dependent claims, Applicants have amended claim 21 to recite more explicitly that the conventional telephone from which the user places the calling card call is a home telephone.

Claim 21 as amended is patentable over the cited references because the cited references do not teach or suggest all of the claim elements. The Examiner correctly acknowledges that Uppaluru does not teach prompting a user to select between a voice call and Internet access. The Examiner relies on Enzmann to support the rejection. Enzmann, however, is exclusively confined to the use of a specially configured payphone, referred to by Enzmann as an Information Payphone, to implement functionality enabling a caller to either make a voice call or access information. Claim 21 as amended, however, explicitly recites prompting a user to select between a voice call and internet access in response to an IVR system receiving a calling card call from a conventional home telephone.

Because the use of a conventional home telephone in conjunction with the method recited in claim 21 as amended is not taught or suggested by Enzmann's "Information Payphone,"

Applicants submit that claim 21 as amended, and its dependent claims, are patentable over the cited references.

With respect to independent claim 22, Applicants have amended to recite that the claimed system is operable to prompt a user to select between a voice call and Internet access upon receiving an incoming calling card call from a conventional telephone to an Internet Service Provider (ISP) of the user. The Examiner correctly acknowledges that Uppaluru does not teach a system for prompting a user to select between a voice call and internet access. The Examiner relies on Enzmann to support the rejection. Enzmann, however, does not teach or suggest a system operable to offer a user a voice-call / Internet-access choice when the user makes a calling card call to the user's ISP.

Because the cited references do not teach or suggest all of the claim elements, Applicants respectfully submit that claim 22 as amended and its dependent claims are patentable over the cited references.

CONCLUSION

Applicants believe that this paper contains a reply to each ground of rejection and objection set forth in the Office Action and that the claims as presented herein are in condition for allowance. Applicants respectfully request reconsideration of and favorable action for all pending Claims.

Applicants have submitted a fee extending the period for response. If, however, the fee is insufficient Applicants hereby authorize the Commissioner to charge any further fees necessary, or credit any overpayment, to the Deposit Account of Jackson Walker L.L.P., No. 10-0096.

Respectfully submitted,
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A handwritten signature in black ink, appearing to read "J. P. Lally", written in a cursive style.

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